

DRAFT

DRMDD066

LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature First Regular Session - 2021

This bill draft contains confidential and privileged information exempt from disclosure under Section 74-109(1), Idaho Code. If you have received this message by mistake, please notify us immediately by replying to this message or telephoning the Legislative Services Office at (208) 334-2475.

1 AN ACT
2 RELATING TO LICENSURE BY ENDORSEMENT -- MEMBERS OF THE MILITARY, VETERANS,
3 AND SPOUSES; AMENDING SECTION 67-9406, IDAHO CODE, TO REVISE PROVISIONS
4 REGARDING LICENSURE BY ENDORSEMENT FOR MILITARY MEMBERS, VETERANS, AND
5 SPOUSES.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 67-9406, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 67-9406. LICENSURE BY ENDORSEMENT -- MEMBERS OF THE MILITARY, VETER-
10 ANS, AND SPOUSES. (1) A licensing authority shall establish a procedure ~~for~~
11 ~~the issuance of to grant~~ licensure by endorsement to a member of the mili-
12 tary, a former member of the military after discharge under honorable condi-
13 tions, a veteran, or a spouse of any such person, ~~if such person who~~ possesses
14 current, valid, and unrestricted licensure in another state, district, or
15 territory of the United States, or in any branch of the armed forces or the
16 national guard. Such procedure shall be intended to provide licensure by en-
17 endorsement to qualifying persons within fifteen (15) business days after such
18 person's application for licensure under this section, provided that the ap-
19 plicant is able to validate his qualifications pursuant to subsection (2) of
20 this section within such time frame. Each licensing authority ~~shall~~ may pro-
21 mulgate applicable rules to implement the provisions of this subsection, if
22 necessary.

23 (2) Each applicant for licensure by endorsement under this section
24 shall apply to the applicable licensing authority for relevant licensure to
25 validate:

26 (a) The applicant's status as a member of the military, a former member
27 of the military after discharge under honorable conditions, a veteran,
28 or a spouse of any such person; and

29 (b) The applicant's current, valid, and unrestricted licensure in
30 another state, district, or territory of the United States, or in any
31 branch of the armed forces or the national guard.

32 (3) An applicant for licensure by endorsement pursuant to this section
33 shall disclose all current or pending disciplinary proceedings related to
34 the applicant's licensure in another state, district, or territory of the
35 United States, or in any branch of the armed forces or the national guard. A
36 licensing authority shall have discretion regarding whether to withhold li-
37 cence by endorsement to the applicant based on any pending disciplinary
38 proceeding and any information obtained by the licensing authority related
39 to such proceedings. An applicant's failure to disclose a current or pending
40 disciplinary proceeding pursuant to this subsection shall be grounds for a
41 licensing authority to refuse to issue licensure by endorsement pursuant to
42 this section.

1 (4) With respect to an applicant under this section, each licensing
2 authority shall implement a condensed military application form to verify
3 the requirements of subsection (2) of this section. A condensed application
4 shall not request additional information unless such information is deemed
5 critical by the applicable licensing authority to verify the applicant's
6 qualification for an Idaho-specific aspect of practice or to determine the
7 applicable scope of practice pursuant to subsection (5) of this section. As
8 part of a condensed military application, a licensing authority shall not
9 require:

10 (a) The taking of all or a portion of an examination, even if such exami-
11 nation is required of other applicants for the same type of licensure in
12 Idaho; or

13 (b) The payment of an application fee.

14 (5) With respect to applicants for licensure by endorsement under this
15 section, a licensing authority may, at its discretion, compare the autho-
16 rized scope of practice in the applicable jurisdiction, or jurisdictions,
17 where the applicant currently holds licensure to the authorized scope of
18 practice in Idaho. If such licensing authority determines that the au-
19 thorized scope of practice in Idaho is broader than the scope of practice
20 authorized in the jurisdiction, or jurisdictions, where the applicant cur-
21 rently holds licensure, such licensing authority may issue a limited license
22 to such applicant pending completion of the additional education, training,
23 and any other requirements determined necessary by the licensing authority.
24 A limited license issued under this section shall restrict the applicant's
25 practice in Idaho to the scope of practice authorized in the state where the
26 applicant holds prior licensure until such time that the applicant satisfies
27 the education, training, or other requirements deemed necessary by the li-
28 ensing authority for a limited period of time necessary for an applicant to
29 meet the qualifications for a full license. Notwithstanding subsection (4),
30 a licensing authority may administer an examination to an applicant under
31 this section for the purpose of ascertaining whether an applicant possesses
32 the requisite qualifications for a full license.

33 (6) Subsection (1) of this section shall not apply to a person who is a
34 member of a profession or occupation covered by an interstate licensure com-
35 pact that the person's home state and Idaho have each adopted. In such a sit-
36 uation, a person shall apply for licensure pursuant to the terms of the ap-
37 plicable licensure compact rather than through licensure by endorsement. A
38 person from a state that has not adopted an interstate licensure compact that
39 Idaho has adopted is eligible for licensure by endorsement, provided that
40 such person is otherwise eligible for licensure by endorsement under this
41 section; however, such licensure shall be valid only in Idaho. A licensing
42 authority for a profession or occupation affected by an interstate licensure
43 compact that Idaho has adopted shall promulgate applicable rules to imple-
44 ment the provisions of this subsection. This section shall not restrict a
45 person who is a member of a profession or occupation covered by an applicable
46 interstate licensure compact or applicable reciprocity agreement from seek-
47 ing licensure by endorsement pursuant to this section. In such a situation,
48 a person may apply for licensure by endorsement under this section or may ap-
49 ply for licensure pursuant to the terms of the applicable licensure compact
50 or reciprocity agreement.

1 (7) An applicant under this section shall be subject to the laws reg-
2 ulating the person's practice in Idaho and is subject to the applicable li-
3 censing authority's jurisdiction. For purposes of this section, the term
4 "licensure" means a license, certificate, registration, permit, or other
5 authorization to practice a profession or occupation.